

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

NOV 16 2012

  
CLERK

\*\*\*\*\*

BOBBY DON BUTLER,

Petitioner,

vs.

WARDEN JORDAN R.  
HOLLINGSWORTH,  
Federal Prison Camp, Yankton,

Respondent.

CIV 12-4099

ORDER

\*\*\*\*\*

The Court has reviewed the file including the Report and Recommendation of Magistrate John E. Simko, and the Objections by Petitioner Butler to that Report and Recommendation.

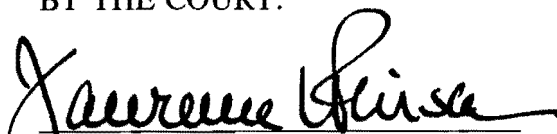
The Objections are overruled as the actions of the Respondent were not arbitrary and capricious. In addition, those actions were within the authority granted to Respondents by Congress. Accordingly,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED and the Objections of Petitioner are DENIED. The Petition for Writ of Habeas Corpus is denied with prejudice.

Dated this 16<sup>th</sup> day of November, 2012.

BY THE COURT:

  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY:

  
DEPUTY